

Message Text

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TO AMEMBASSY BRUSSELS

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USEEC

E.O. 11652: N/A

TAGS: EC, ETRD

SUBJECT: CONSULTATIONS ON FLORENCE AGREEMENT

REF.: BRUSSELS 5605

1. WHEN EXPORTING SCIENTIFIC INSTRUMENTS TO THE US, EC COMPANIES ARE FACED WITH ONE SET OF RULES, ONE APPLICATION FORM, ONE GOVERNMENT AGENCY TO DEAL WITH IN ATTEMPTING TO UTILIZE US ANNEX D PROCEDURES. THE CRITERIA USED IN MAKING THE DECISIONS AND THE DECISIONS THEMSELVES ARE IN WRITING AND AVAILABLE TO ALL INTERESTED PARTIES. US FIRMS ON THE OTHER HAND, MUST DEAL WITH DIFFERENT PROCEDURES IN EACH EC COUNTRY. FOR THE MOST PART THE CRITERIA USED BY THE MEMBER STATES ARE NOT CONTAINED IN PUBLISHED RULES AND THE BASES FOR THE DECISIONS MAY NOT BE GENERALLY KNOWN.

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2. IN AN EFFORT TO PROVIDE A FRAMEWORK FOR OUR CONSULTATIONS ON THE FLORENCE AGREEMENT, THE MISSION IS ASKED TO PROVIDE THE FOLLOWING SUGGESTED POINTS FOR DISCUSSION TO MR. BADE. MISSION SHOULD EMPHASIZE THAT THESE ARE NOT THE ONLY POINTS WE MAY WISH TO DISCUSS. IN PROVIDING THESE POINTS WE ARE MERELY TRYING TO FOCUS THE DISCUSSION.

3. WE SUGGEST DISCUSSION OF:

-- RESPECTIVE PRACTICES IN THE US AND EC WITH REGARD TO
THE IMPLEMENTATION OF ANNEX D.

-- WHETHER THE COMMISSION INTENDS TO MAKE
PURSUANT TO ANNEX D A MATTER OF PUBLIC RECORD.

-- WILL DECISIONS DENYING DUTY-FREE ENTRY IDENTIFY THE
INSTRUMENT FOUND TO BE SCIENTIFICALLY EQUIVALENT. WILL
THE DENIAL INCLUDE REASONS FOR THE ALLEGED SUPERIORITY OF
THE EC INSTRUMENT.

-- HOW THE COMMISSION WILL INSURE THAT THE AGREEMENT IS
CARRIED OUT UNIFORMLY BY THE MEMBERS.

-- WHETHER THE COMMISSION WOULD CONSIDER COMPILING AND
MAINTAINING STATISTICS ON IMPORTS OF INSTRUMENTS UNDER
ANNEX D. COOPER

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